



General Assembly

Amendment

February Session, 2008

LCO No. 4440

SB0037004440SD0

Offered by:

SEN. MEYER, 12th Dist.

REP. ROY, 119th Dist.

To: Subst. Senate Bill No. 370

File No. 89

Cal. No. 81

"AN ACT CONCERNING PESTICIDE APPLICATIONS AT DAY CARE CENTERS."

1 In line 5, bracket "and"

2 In line 9, after "areas" insert ", "certified pesticide applicator" means
3 a pesticide applicator with (1) supervisory certification under section
4 22a-54, or (2) (A) operational certification under section 22a-54, and (B)
5 under the direct supervision of a pesticide applicator with said
6 supervisory certification and "licensee" means a person licensed under
7 sections 19a-77 to 19a-87e, inclusive"

8 Strike lines 10 to 34, inclusive, and substitute the following in lieu
9 thereof:

10 "(b) No [application of pesticide may be made in any building or on
11 the grounds of] person other than a certified pesticide applicator shall
12 apply pesticide within any child day care center, group day care home
13 or family day care home, each as described in section 19a-77 of the

14 2008 supplement to the general statutes, during regular business
15 hours, except that [an] a person other than a certified pesticide
16 applicator may make an emergency application [may be made] of
17 pesticide during regular business hours to eliminate an immediate
18 threat to human health, [if (1) it is necessary to make the application
19 during regular business hours,] including, but not limited to, for the
20 elimination of mosquitoes, ticks and stinging insects, provided (1) the
21 licensee or a designee of the licensee determines such emergency
22 application to be necessary, (2) the licensee or a designee of the
23 licensee deems it impractical to obtain the services of a certified
24 pesticide applicator, and [(2)] (3) such emergency application does not
25 involve a restricted use pesticide, as defined in section 22a-47. [No
26 child enrolled at such center or home may enter an area where
27 pesticides have been applied until it is safe to do so according to the
28 provisions on the pesticide label.]

29 (c) No person shall apply a lawn care pesticide on the grounds of
30 any child day care center or group day care home, as described in
31 section 19a-77 of the 2008 supplement to the general statutes, except
32 that an emergency application of pesticide may be made to eliminate
33 an immediate threat to human health, including, but not limited to, the
34 elimination of mosquitoes, ticks and stinging insects, provided (1) the
35 licensee or a designee of the licensee determines such emergency
36 application to be necessary, (2) a certified pesticide applicator makes
37 such emergency application, unless the licensee or a designee of the
38 licensee deems it impractical to obtain the services of a certified
39 pesticide applicator, and (3) such emergency application does not
40 involve a restricted use pesticide, as defined in section 22a-47.

41 (d) No child enrolled in a day care center, group day care home or
42 family day care home, each as described in section 19a-77 of the 2008
43 supplement to the general statutes, may enter an area where a
44 pesticide has been applied in accordance with this section until it is
45 safe to do so according to the provisions on the pesticide label."

46 Strike lines 35 to 43, inclusive, in their entirety and substitute the

47 following in lieu thereof:

48 "(e) On and after October 1, 2008, prior to providing for any
49 application of pesticide within"

50 In line 44, strike "building"

51 In line 44, strike "provider" and insert in lieu thereof "licensee or a
52 designee of the licensee"

53 Strike line 45 in its entirety and insert in lieu thereof "notify the
54 parents or guardians of each child enrolled in such licensee's day care
55 center"

56 In line 46, strike "under this subsection"

57 In line 47, after "application" insert ", except that for an emergency
58 application made in accordance with this section, such notice shall be
59 given as soon as practicable"

60 In line 50, before "proposed" insert "date or"